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Attorney for the Commission Staff

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF	)	
RCLEC, INC. FOR REGISTRATION AS A	)	CASE NO. RCL-T-15-01
WHOLESALE TELECOMMUNICATIONS	)	
PROVIDER IN IDAHO.	)	COMMENTS OF THE
	)	COMMISSION STAFF
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Brandon Karpen, Deputy Attorney General, and in response to the Notice of Application and Notice Modified Procedure issued in Order No. 33329 on June 24, 2015, in Case No. RCL-T-15-01, submits the following comments.

### BACKGROUND

On February 12, 2015, RCLEC, Inc. ("RCLEC" or "Company") filed an Application with the Commission for a Certificate of Public Convenience and Necessity. On April 27, 2015, RCLEC filed a revised Application per Procedural Order No. 32277 and IDAPA 31.01.01.114, for registration as a wholesale provider of telecommunications services in the State of Idaho. *Revised Application* at 1.

### STAFF REVIEW

RCLEC is a wholesale provider of telecommunications services incorporated in the State of Delaware, listing its principal place of business as Belmont, California. *Id.* In September

2014, Idaho's Secretary of State certified that RCLEC is authorized to transact business in Idaho. *Id.* at 1. RCLEC does not maintain a place of business in Idaho, but lists Incorp Services, Inc., 1524 Vista Avenue, Suite 12, Boise, Idaho 83705, as its registered agent in Idaho. *Id.* at 2.


RCLEC states that it will provide facilities-based/unbundled network element local exchange and interexchange services and resold local exchange and interexchange services on a wholesale basis to other retail providers in Idaho. *Id.* at 4. RCLEC confirms that it will comply with all Idaho laws and Commission Rules. *Id.*

### STAFF RECOMMENDATIONS

Staff has reviewed RCLEC's Application for registration as a wholesale provider of telecommunications services in Idaho for compliance with applicable legal requirements and believes the Company is in compliance with Commission Rule of Procedure 114 and Commission Order No. 32277. Staff further believes that RCLEC possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Therefore, Staff recommends that the Commission approve RCLEC as a registered wholesale telecommunications service provider subject to the following conditions:

1. RCLEC shall comply with number pooling and requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. RCLEC shall provide necessary reports, and contribute as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and Idaho Telecommunications Service Assistance Program; and
3. RCLEC shall comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

Respectfully submitted this 15<sup>th</sup> day of July 2015.

  
Brandon Karpen  
Deputy Attorney General

Technical Staff: Grace Seaman

i:umisc/comments/rclet15.1bkgs comments

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 15<sup>TH</sup> DAY OF JULY 2015,  
SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN  
CASE NO. RCL-T-15-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID,  
TO THE FOLLOWING:

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SECRETARY